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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRANCE JOHN COX,
Defendant.

CASE NO. 1:22-CR-00214-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: April 12, 2023
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

This case is set for status conference on April 12, 2023. As set forth below, the parties now move, by stipulation, to continue the status conference to July 12, 2023, and to exclude the time period between April 12, 2023 and July 12, 2023 under the Speedy Trial Act.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on April 12, 2023.
2. By this stipulation, defendant now moves to continue the status conference until April 12, 2023, and to exclude time between April 12, 2023, and July 12, 2023, under 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv) [Local Codes T2 and T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case is

1 voluminous and includes large amounts of digital forensic evidence, several hundreds of
2 thousands of pages of financial records and reports, evidence obtained by search warrant, and
3 extensive other evidence. All of this discovery has been either produced directly to counsel
4 and/or made available for inspection and copying. The government has also copied digital
5 evidence onto a hard drive provided by the defense, and produced that material to the defense.

6 b) Counsel for defendant desires additional time to consult with his client, to review
7 the current charges, to conduct further investigation and research related to the charges, to
8 receive and continue to review voluminous discovery including any supplemental discovery, to
9 discuss potential resolution with government counsel, and to evaluate potential pretrial motions.
10 Counsel for defendant requires additional time to analyze produced material due primarily to the
11 volume of discovery, exceeding 400,000 Bates-numbered pages and additional digital evidence.
12 Thus, a continuance of the status conference is necessary for continuity of counsel and to
13 facilitate defense investigation and preparation.

14 c) Counsel for defendant believes that failure to grant the above-requested
15 continuance would deny him the reasonable time necessary for effective preparation, taking into
16 account the exercise of due diligence.

17 d) The government does not object to the continuance.

18 e) Based on the above-stated findings, the ends of justice served by continuing the
19 case as requested outweigh the interest of the public and the defendant in a trial within the
20 original date prescribed by the Speedy Trial Act.

21 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
22 et seq., within which trial must commence, the time period of April 12, 2023 to July 12, 2023,
23 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv) [Local
24 Codes T2 and T4] because it results from a continuance granted by the Court at defendant's
25 request on the basis of the Court's finding that the ends of justice served by taking such action
26 outweigh the best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 4, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ HENRY Z. CARBAJAL III
HENRY Z. CARBAJAL III
Assistant United States Attorney

Dated: April 4, 2023

/s/ MARK W. COLEMAN
MARK W. COLEMAN
Counsel for Defendant
Terrance John Cox

ORDER

IT IS SO ORDERED that the status conference is continued from April 12, 2023, to **July 12, 2023 at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv).

IT IS SO ORDERED.

Dated: April 4, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE